

**REMARKS**

Applicant concurrently requests a three-month extension of time pursuant to 37 CFR 1.136(a), and the related required fee is submitted herewith. The present amendment is prepared in accordance with the requirements of 37 CFR 1.121.

Applicants appreciate the thoroughness with which the Examiner has examined the above-identified application. Reconsideration is requested in view, the amendments above and the remarks below.

Claims 26 – 37, and 39 – 50, have been canceled. Claims 25 and 38 have been amended, to clarify that which the applicant regards as the invention.

No new matter has been added.

**CLAIM OBJECTIONS**

The Examiner has objected to claims 34 and 49. The applicant has hereby canceled said claims, without prejudice or disclaimer.

**IN THE SPECIFICATION**

The Examiner has requested that the specification be submitted on a separate page; said Abstract is hereby submitted on a separate page:

### **CLAIM REJECTIONS – 35 USC §112**

The Examiner has rejected claims 32 and 45 under 35 USC 112, as being inconsistent with their parent independent claims (25 and 38, respectively). In order to avoid confusion on these two dependent claims (32 and 45), and without disclaiming any part of the invention, the applicant has decided to cancel these two aforesaid dependent claims.

These aforementioned changes to the claims and specification have addressed the Examiner's above listed 35 USC 112 rejections of Claims 32 and 45.

### **CLAIM REJECTIONS – 35 USC §103**

The Examiner has rejected Claims 25, 32, 33, 38, 45, and 48 as being unpatentable over WOOD [2,437,871] in view of SIX [6,762,524] because the subject invention would have been obvious, when taking WOOD and SIX in combination, to one skilled in the art. The applicant herein respectfully traverses the Examiner's position on this issue. WOOD'S claim number 1 "... permanent magnets of the bar type carried by **each** of said annular portions...", and therefore requires that **BOTH** rotary members or rotors, have permanent magnets on them. This is further illustrated in WOOD's Fig. 1, part # 17 (magnet on outer rotor #1) and part #18 (magnet on inner rotor #3). The present invention does not have this required element or limitation. Therefore, since WOOD does not have each and every limitation or element to the subject claimed invention, WOOD does not anticipate the subject invention and therefore the subject invention is novel over WOOD. The present invention having permanent magnets on only one of the two rotating rotors is unique, was in the original application disclosure, and the specification and

claims have been amended to clarify this issue. SIX does not claim or disclose the necessary magnetically permeable materials to optimize and complete the magnetic circuit that applicant specifically claims. The claim of 'copper' as an 'electroconductive' element (copper is an excellent electron 'conductive' element), and then simultaneously claim that very same element (copper) as also being 'magnetically permeable' is not only not explicitly claimed or disclosed by SIX, and further copper does not have good magnetic circuit permeability; in fact, copper has the same magnetic relative permeability as plain water (which is very poor). SIX does not discuss, claim or disclose, as applicant, in the instant invention, the unique features of applicant's optimized 'magnetic' circuit; SIX is silent on this issue; therefore SIX does not suggest, teach toward, or make obvious to try, either alone, or in combination with WOOD, each and every element of the applicant's amended claims. Applicant has amended independent claims 25 and 38, to further clarify its elements and limitations, and the respective rotors upon which they are located. Applicant has canceled, without prejudice or disclaimer, all other claims that depended on claims 25 and 38, therefore no remarks are needed on those claims. As it relates to examiner's comments combining WOOD and SIX, further with LEHDE and/or CRAMER, the applicant traverses the examiner on these issues. , LEHDE'S claim number 1 requires a "...means attached to **one of the members** for producing a radial **magnetic field**, a ring of **permanent magnetic material connected to the other...**" and therefore requires that **BOTH** rotary members or rotors, have permanent magnets on them. This is further illustrated in LEHDE'S Fig. 1, part #14 ("...permanent magnet material...") and part #19 ("magnet"). The present invention does not have this required element or limitation. Therefore, since LEHDE does not have each and every limitation or element to the subject claimed invention, LEHDE does not anticipate the subject

invention and therefore the subject invention is novel over LEHDE. The present invention having permanent magnets on only one of the two rotating rotors is unique, was in the original application disclosure, and the specification and claims have been amended to clarify this issue. The current application is not anticipated by LEHDE, therefore, CRAMER in combination with LEHDE (and WOOD and SIX) cannot be obvious to one skilled in the art. Since LEHDE does not claim permanent magnets on both rotating members or rotors, and therefore does not anticipate the applicant's invention, then, necessarily, LEHDE, in combination with CRAMER, teaches away from the applicant's subject invention. Further, CRAMER claims a "barrier" (or liquid seal) for a magnetic coupling, and not a magnetic coupling itself, or 'magnetic torque transfer' device, as does the applicant's subject invention. In addition, CRAMER's coupling itself, like LEHDE, has magnets on both rotating members or rotors [see CRAMER'S Figure No. 2, Part No. 54 ("outer magnet assembly") and Part No. 56 ("permanent magnets")]. Since both LEHDE and CRAMER have required elements that the applicant's subject invention does not claim, and since CRAMER doesn't even claim a magnetic coupling device, but rather a "seal-less pump" or "barrier", their combination necessarily teaches away from the current invention which teaches requires magnets on only one of the two rotating members or rotors. The applicant has, by amending the specification and claims herein, removed any rejections due to obviousness of the claimed invention to the WOOD, SIX, LEHDE and CRAMER combination of prior art.

The Examiner has further rejected dependent claims 28, 30, 40, 43, 29, 42, 37, and 47, citing, in various combinations on some or all of the aforementioned dependent claims, WOOD, SIX, DENK, HENDERSON and ROUNDS. Applicant has addressed Examiner's rejections of

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these dependent claims, by canceling all dependent claims, without prejudice or disclaimer.

#### IV. CONCLUSION

It is noted that the amendments are made only to more completely define the invention. No new matter has been added.

In view of the foregoing, Applicant submits that amended claims 25 and 38, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Respectfully Submitted,

Date: July 19, 2010

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